

**Notice of Allowability**

Application No.

10/717,149

Examiner

DUNG A. LE

Applicant(s)

RENNINGER ET AL.

Art Unit

2818

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to AMENDMENT DATED 1/15/2005.
2. ☒ The allowed claim(s) is/are 1-9, 12-15 and 25-33.
3. ☒ The drawings filed on 18 November 2003 and 24 August 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|   | 9. <input type="checkbox"/> Other _____.   |

DUNG A LE  
Primary Examiner  
Art Unit: 2818



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Patents and Trademarks

March 3, 2006

Commissioner for Patents  
Attn: Tyrone Johnson  
Office of Patent Publication  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: Response to Notice Regarding Drawings  
Serial No.: 10/717,149  
Filed: November 18, 2003  
For: METHOD OF FORMING A LOW VOLTAGE GATE  
OXIDE LAYER AND TUNNEL OXIDE LAYER IN  
AN EEPROM CELL (as amended)  
Our ref: ATM-262 (Renninger et al.)

Dear Mr. Johnson:

We are a bit puzzled by your most recent communication, a Notice Regarding Drawings mailed 2/22/2006. In this Notice you wrote "Corrected drawings for the above-identified application, received in the USPTO on 6/13/2005, are still not acceptable" for reasons given on the attached form PTO-948.

On 6/9/2005 we did pay the issue fee (copy of transmittal enclosed), but we did not submit any drawings, so we do not understand how the USPTO received any drawings in June. Further, as per the Notice of Allowance (copy enclosed), the prior drawings were accepted. We further note that it has taken 8 months to bring this matter to our attention.

Enclosed we are once again providing the formal drawings (3 sheets), which previously had been approved. If there are any outstanding issues, please call the undersigned attorney at (408) 297-9733 between 9AM and 5PM Pacific time.

Very truly yours,

  
David Schneck

DS:mpg

Encl: Copy of Issue Fee Transmittal; Notice of Allowance;  
Formal drawings (3 sheets)